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ATTORNEYS FOR RESPONDENTS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ZURICH AMERICAN INSURANCE COMPANY, as
subrogee of Vinmar International Limited, Inc., and
VINMAR INTERNATIONAL LIMITED, INC.

Petitioners,

v.

TEAM TANKERS A.S., EITZEN CHEMICAL USA, *in*
persona, and the M/V SITEAM EXPLORER, her engines,
tackle, apparel, etc., *in rem*,

Respondents.

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: Case No. 13-cv-8404 (WHP)
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: **RESPONDENTS'**
: **NOTICE OF CROSS-**
: **MOTION TO CONFIRM**
: **ARBITRATION AWARD**

PLEASE TAKE NOTICE that Respondents, Team Tankers A.S., Eitzen Chemical USA, and the *M/V SITEAM EXPLORER, in rem*, through counsel Holland & Knight LLP, pursuant to 9 U.S.C. Sections 9 and 207, and on the Declaration of Michael J. Frevola dated December 23, 2013, Respondents' Memorandum of Law in Opposition to Petitioners' Motion to Vacate or Modify the 26 August 2013 Final Award filed with this Court on November 26, 2013, and all prior pleadings and proceedings had herein, will cross move this Court before the Honorable William H. Pauley, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY at the time and place of the hearing of Petitioners' Motion to Vacate for an order:

- (1) Pursuant to 9 U.S.C. Sections 9 and 207 confirming a Final Award dated August 26, 2013 rendered in the New York arbitration proceeding entitled "In the Matter of the Arbitration between Zurich American Insurance Company as Subrogee of Vinmar International Limited Inc. and Vinmar International Limited, Inc., Claimants and Team Tankers A/S, as Owner of the *M/V SITEAM EXPLORER*, Eitzen Chemical, USA, *in personam* and the *M/V SITEAM EXPLORER*, *in rem*, Respondents, Under an ASBATANKVOY Form of Charter Party dated June 10, 2008," under the terms of the Society of Maritime Arbitrators, before arbitrators Louis P. Sheinbaum, A. J. Siciliano, and Donald Szostak (Chairman);
- (2) Directing the entry of Judgment thereon,
- (3) Granting Petitioner its legal fees as against Respondent for this confirmation proceeding; and
- (4) Such other and further relief as the Court deems just and proper.

Dated: December 23, 2013
New York, New York

HOLLAND & KNIGHT LLP

By: /s/ Michael J. Frevola
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